

REMARKS/ARGUMENTS

Reconsideration and withdrawal of the rejections of the application are respectfully requested in view of the above amendments and following remarks, which place the application into condition for allowance.

I. STATUS OF THE CLAIMS AND FORMAL MATTERS

Claims 1-4, 6, 14-18, 20, 28 and 48 are pending in this application. Claims 5, 7-12, 19, 21-26 and 29-47 have been withdrawn from consideration. Independent claims 1, 15 and 48 are amended as indicated above, and claims 2, 4, 6, 16, 18 and 20 are hereby canceled without prejudice, without admission, without surrender of subject matter, and without any intention of creating any estoppel as to equivalents. It is believed that no new subject matter is added as a result of the amended claims.

II. REJECTIONS UNDER 35 U.S.C. §§ 102 & 103

Claims 1-4, 6, 14-18, 20, 28 and 48 were rejected under 35 U.S.C. § 102(b) as allegedly anticipated by or, in the alternative under 35 U.S.C. § 103(a) as being unpatentable over U.S. Patent No. 4,093,512 to Fleischer (hereinafter merely "Fleischer").

Independent claim 1 as currently amended recites:

"A papermaking fabric multilayer filament said multilayer filament having a core comprised of a monofilament yarn surrounded by a plurality of respective layers visibly distinguishable from one another by their contrasting color, or reflectivity for indicating a level of wear of a papermaking fabric comprised thereof." (Emphasis added)

In paragraph 5 of the Office Action, the Examiner contends that Kevlar, Asbestos, Nylon, Dacron, and acrylics are of different colors, and that one of the differing properties between the core and the respective layers is color. Applicants respectfully disagree.

Applicants submit that there is no suggestion in Fleischer that these materials possess different colors. The materials that the Examiner is relying on can be formed of the same color, e.g. Nylon, Dacron and acrylics. Each of these materials is synthetic in nature and thus can be produced to have the same or different color based on the end application. However, Fleischer lacks the very motivation to produce them in different colors, specifically, to be visibly distinguishable from one another by their contrasting color, or reflectivity as recited in the instant claims, because Fleischer's objective is to produce a papermakers' belt with ultra high modulus load bearing yarns such that the belt has improved stretch resistance. There is no teaching or suggestion for the above-identified feature in Fleischer.

Additionally, Applicants submit that Fleischer attempts to achieve an improvement in tensile strength and stretch resistance of forming fabrics woven from multifilaments by employing high tenacity materials. Those of ordinary skill in the art, however, know that materials like Kevlar have very poor abrasion resistance when used in papermaking fabrics, and therefore in order to survive, these materials have to be wrapped and/or coated.

The objective of the instant invention, contrariwise, is to give the papermaker an idea of how and to what levels the wear or at what rate the wear is occurring before the catastrophic failure occurs. If the coating on the Kevlar yarn of Fleischer is gone, the fabric is in imminent failure mode, therefore providing for all or nothing. On the other hand, with the present invention the papermaker is alerted to, in advance, the state of the papermaking fabric with the plurality of layers indicating a level of fabric wear, such that the papermaker could replace it with a new fabric in case of a worn out state, thus avoiding a catastrophic failure and subsequent repair/losses.

Claims 1-4, 6, 14 and 48 were rejected under 35 U.S.C. § 102(b) as allegedly anticipated by or, in the alternative under 35 U.S.C. § 103(a) as being unpatentable over U.S. Patent No. 6,033,779 to Andrews (hereinafter merely “Andrews”).

As to Andrews, it relates to a composite yarn formed of melt-fusible thermoplastic fibers for use in a protective glove or mitten. There is no teaching or suggestion in Andrews for using a multilayer filament in a papermaking fabric, as recited in the instant claims. Andrews lacks the very motivation to do so because the objective of Andrews is to produce end products such as cut-resistant apparel for environments where workers are exposed to possibly contaminated products or where core materials in the yarn can damage the end product of manufacture.

Claims 1-4, 6, 14 and 48 were rejected under 35 U.S.C. § 103(a) as being unpatentable over U.S. Patent No. 5,685,014 to Dapsalmon in view of anyone of U.S. Patent No. 3,800,019 to Parsey or U.S. Patent No. 6,653,943 to Lamb and further in view of anyone of U.S. Patent no. 4,651,514 to Collett, U.S. Patent No. 5,113,532 to Sutton, or Andrews.

Applicants submit that none of the above cited references teach or suggest or even remotely relate to the papermaking art. Therefore, Applicants respectfully submit that none of the cited references, considered either alone or in combination, teach or suggest the above discussed feature of claim 1. Specifically, none of the cited references, taken alone or in combination, disclose or suggest a papermaking fabric multilayer filament having a core comprised of a monofilament yarn surrounded by a plurality of respective layers visibly distinguishable from one another by their contrasting color, or reflectivity for indicating a level of wear of a papermaking fabric comprised thereof, as recited in claim 1.

For at least the foregoing reasons, independent claims 1, 15 and 48 patentably distinguish over the relied upon portions of the cited references and are therefore allowable. Further, claims 3, 14, 17 and 28 that depend from claim 1 or claim 15, are allowable as well.

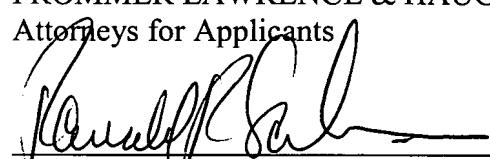
CONCLUSION

In view of the foregoing, it is believed that all of the claims in this application are patentable over the prior art and an early and favorable consideration thereof is solicited. Accordingly, a Notice of Allowance is earnestly solicited.

The Commissioner is authorized to charge any additional fees that may be required to Deposit Account No. 50-0320.

Respectfully submitted,
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